

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WASHINGTON

MICAELA GRILL, individually and as
personal representative of THE ESTATE OF
DONALD C. MARTIN,

Plaintiff,

v.

ALLSTATE INSURANCE COMPANY,

Defendant.

Case No. 2:23-cv-01058

**STIPULATED MOTION TO CONTINUE
TRIAL DATE AND PRE-TRIAL
DEADLINES AND ORDER**

Pursuant to LCR 16(b)(6) and 7(j), Plaintiff Micaela Grill and Defendant Allstate Insurance Company, by and through their undersigned counsel, jointly request the Court enter an order continuing the current trial date and all pre-trial deadlines (Dkt. #10) for the reasons below. This is the parties' first requested continuance.

Good cause exists for a continuance. The parties have diligently pursued and accomplished significant written discovery between each other and with third parties in this particularly document-heavy insurance dispute. The current expert disclosure deadline is April 22, 2024 and the current discovery cutoff is May 17, 2024. Expert reports cannot be completed before written discovery is complete or substantially complete. However, the parties still have outstanding written discovery, many fact and expert depositions to take (some of which are noted, but dependent on witness schedules and availability), and thus expert reports and

STIPULATED MOTION TO CONTINUE AND ORDER
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1 discovery to complete. Such significant discovery cannot be completed before the current
2 deadlines.

3 The scope of remaining discovery is dependent on the parties' current discovery dispute
4 regarding Allstate's responses and document production. The parties' have met and conferred
5 to narrow and eliminate some of the issues with Allstate committing to supplement its
6 responses. However, the disputes are not fully and finally resolved, and motion practice may
7 be inevitable. Furthermore, there is also the potential for additional discovery motions
8 regarding depositions.

9 To allow the parties sufficient time to settle all discovery disputes between them, to
10 fully complete written discovery, expert discovery, and depositions in an appropriate and
11 thorough manner, the parties propose the following trial date and related pre-trial deadlines:

EVENT	OLD DEADLINE	NEW DEADLINE (STIPULATED)
BENCH TRIAL DATE	November 18, 2024	May 19, 2025
Reports from expert witness under FRCP 26(a)(2) due	April 22, 2024	October 22, 2024
Discovery completed by	May 17, 2024	November 18, 2024
All dispositive motions must be filed by	June 21, 2024	December 20, 2024
All motions <i>in limine</i> must be filed by	October 15, 2024	April 15, 2025
Joint Pretrial Statement	October 21, 2024	April 21, 2025
Pretrial conference	November 5, 2024	May 5, 2025

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1 The parties respectfully request the Court issue an Amended Order Setting Trial Date
2 and Related Deadlines consistent with the proposed dates above.

3 DATED this 19th day of April, 2024.

4 FOX ROTHSCHILD LLP

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6 s/ Al Roundtree

Wendy E. Lyon, WSBA #34461

7 Bryan J. Case, WSBA #41781

8 Al Roundtree, WSBA #54851

9 *Attorneys for Defendant Allstate Insurance*
10 *Company*

11 FLANAGAN STRAUSS, PLLC

12 s/ Leonard Flanagan

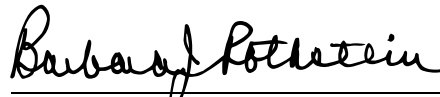
Leonard Flanagan, WSBA # 20966

13 Ken Strauss, WSBA #31317

14 *Attorneys for Plaintiffs*
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1 Based on the foregoing, and for good cause shown, the parties' Stipulated Motion to
2 Continue is GRANTED.

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4 DATED this 29th day of April, 2024.

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7 Barbara Jacobs Rothstein
8 U.S. District Court Judge
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